

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

DEON C. STAFFORD, SR.,

Plaintiff

v.

JOHN WETZEL, ET AL.,

Defendants

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CIVIL NO. 4:CV-13-2026

(Judge Brann)

ORDER

February 5, 2015

In accordance with the accompanying memorandum, , **IT IS HEREBY**

ORDERED THAT:

1. Defendants' motion to dismiss less than all the claims raised in the Amended Complaint (Doc. 25) is **PARTIALLY GRANTED.**
2. Dismissal is **GRANTED** in favor of Original Defendant SCI-Dallas Deputy Superintendent Lawrence Mahally and with respect to the damage claims against the Defendants in their official capacities.

3. Plaintiff's claims of unconstitutional denial of access to the court and verbal harassment are **DISMISSED** with the exception of the allegations that those actions were part of retaliatory mistreatment by the Remaining Defendants.
4. Dismissal is also **GRANTED** with respect to the allegations of due process and equal protection violations.
5. Plaintiff's claims of retaliatory mistreatment which included cell searches, cell transfers, verbal abuse and confiscation of legal materials will proceed.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge